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MAY 15 2023

CLERK, U.S. DISTRICT COURT
NORTH DISTRICT OF CALIFORNIA

In re JUUL Labs, Inc Marketing, Sales Practices, Liability Litigation, No. 19-md-02913-WHO (N.D. Cal,)

Objection

I was a junior in high school when I first used a Juul product. They came as a craze to schools across my area, and as far as I can tell, the whole country. To this day, I still use these products more than I'd like to; taking that first hit was certainly a mistake. However, this lawsuit is little more than a cash grab, and blames the Juul company for things outside of their control. The central claim in this lawsuit appears to be that Juul unlawfully marketed their products to young people, and misled consumers. I have never seen a Juul ad, and I don't know anyone else that has either. The early marketing campaigns towards young people were rather limited and reached a very small audience. The popularity of this product is not due to some nefarious marketing scheme, but rather because the Juul was and still is a superior product.

In addition to this, the widespread availability of Juul products in gas stations rather than smoke-shops gave many more opportunities for underage purchase. It was much harder to find a smoke shop owner willing to turn a blind eye than a gas-station attendant. Juul cannot be blamed for pursuing a retail strategy in line with every other tobacco product on the market.

The secondary claim in the lawsuit asserts customers paid more for the product than they would have knowing how addictive it was. This claim is ridiculous. Nobody does that type of financial risk-reward calculation when deciding to buy a vape or any other addictive product. This shows a willful misunderstanding of human psychology to inflate the settlement amount.

I am aware this letter will not cause this case to be thrown out, but I do wish to voice my frustration with the righteous indignation against Juul. They have become the scapegoats for the problem of underage tobacco use, an intractable problem far outside of their control. The FDA and state governments permitted and even encouraged the development of the vaping industry, but now, after problems have become apparent, the company is being driven into bankruptcy. The great irony of this is now that reputable vaping companies are being driven from the market, consumers have switched to sketchy imported vapes with zero oversight or regulation. Many state governments are now even allowing the unfettered sale of marijuana and CBD vapes, which have even worse health track-records.

If we, as a society, believe vaping is such a scourge, we should ban the industry entirely. Going after law-abiding companies who participate in the market is hypocritical and does nothing to solve the underlying issue.

I declare under penalty of perjury under the laws of the United States of America that Samuel Marcom is a member of the Class.

A handwritten signature in black ink, appearing to read 'Samuel Marcom', is written over a horizontal line.

Sam Marcom

5/9/2023

I do not intend to appear at the final approval hearing.

102 Holly Creek Rd
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Research Triangle Region
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